

Application No.: 09/706,503
Amendment dated: June 13, 2005
Reply to Office Action of January 13, 2005
Attorney Docket No.: 0016.Sus

b.) Remarks

Claims 1-57 are pending in this application. Applicants propose to amend claims 1, 5, 14, 27, and 45 as indicated hereinabove.

Claims 5 and 45 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter that applicant regards as the invention. Claims 5 and 45 are proposed to be amended to address these issues raised by Examiner. Applicants thank Examiner for noting the spelling error in claim 5.

Claims 1-2, 5-15, 18-28, 31-41, 46-50, and 55-57 were rejected under 35 U.S.C. 102(e) as being anticipated by Shannon with Patent Number 6,233,618. In a related rejection, claims 3-4, 16-17, 29-30, 42-45 and 51-54 were rejected under 35 U.S.C. 103(a) as being unpatentable over Shannon with Patent Number 6,233,618 in view of Trcka *et al.* with Patent Number 6,543,345. These rejections are respectfully traversed for the following reasons.

To further distinguish the claimed invention over the applied references including the Shannon patent, Applicants proposed to further describe "denial of service attack" to avoid a broad interpretation applied by the Examiner.

To this end, claim 1 for example is proposed to be amended to describe:

a denial of service attack in which the undesirable network traffic is launched against to a target network device in order to undermine the operation of that target network device by overwhelming the target network device with network traffic.

In contradistinction, the Shannon patent does not even mention such types of attacks. For example, its col. 14, lines 42, *et seq.* merely mention denial of access. There is nothing akin to the claimed overwhelming of a target device with network traffic.

Thus, Applicants respectfully request withdrawal of the rejections.

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Applicants believe that the present application is in condition for allowance. A Notice of Allowance is respectfully solicited. Should any questions arise, the Examiner is encouraged to contact the undersigned.

Respectfully submitted,

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